



NATIONAL ASSOCIATION OF THE DEAF

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July 14, 1997

Mr. William Caton Secretary Federal Communications Commission 1919 M Street, NW Washington, DC 20554

Re: Ex Parte Meeting, MM Docket #95-176

Dear Mr. Caton:

On Friday, July 11, 1997, the following individuals representing the National Association of the Deaf met with employees of the FCC: Philip W. Bravin and Karen Peltz Strauss. Individuals representing the FCC who attended the meeting were: Meryl Icove, Pam Gregory, Marcia Glauberman, Gretchen Rubin, William Johnson, and JoAnn Lucanik. A sign language interpreter was present as well.

During the meeting, consumers reiterated concerns raised in their February 28 and March 31, 1997 comments in this docket. In addition, consumers discussed the issues raised in the attached transparencies.

Sincerely,

Philip W. Bravin

Enclosures

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Closed Captioning Rulemaking Process MM 95-196

July 11, 1997

Full access to television,
24 hours a day, 7 days a
week, 365 days a year

- Benchmark
- Implementation Schedule
 - New Programming
 - Library Programming
- Reformats
- Locally Produced Shows
- Quality
- Other Issues

Need to establish a benchmark period

- To ascertain compliance
- To define baselines for various implementation schedules

Suggested Period

- 1st Quarter 1997
- Suggested Coverage
 - Channel by Channel Basis



New Programming

- 6 years

Formula

- Set aside number of uncaptioned hours over and above benchmark
- Allocate remaining hours over and above benchmark equally over next 6 years in annual increments
- Allocation shall be in this order of priority (by dayparts)
 - Prime time
 - Morning
 - Daytime
 - Overnight

Library Programming

- 10 years
- All programming (i.e., no 75% cap)
- Those that are previously uncaptioned

Formula

- 10% a year up to 10 years
- Allocation shall be in this order of priority (by dayparts)
 - Prime time
 - Morning
 - Daytime
 - Overnight

- Once captioned, always captioned
- Is considered a baseline
- Not considered "library" for purposes of implementation

Emergencies

- No captioning requirement
- Must consider as minimum baseline and require full implementation in 2 years for all providers
- Must be definable
- Must match audio narrative 100%

News

- 6 year implementation
 - Order of implementation
 - Top 50 markets 1st 2 years
 - Next 50 2nd 2 years
 - Remaining 3rd 2 years
- Must have provision, if not already implied, to allow states to promulgate earlier schedules (especially for rural states)
- Real-time is the only acceptable requirement (any other forms do not represent full audio representation)

Basic premise:

- Deaf and hard of hearing consumers do not necessarily have the facility to monitor nor assess quality
- Evolving multimedia technologies need to be taken into consideration (i.e., speech to text)

Basic standards

- Captions include all elements of the soundtrack, including music and speaker identification, etc.
- Captions must be provided in style and standards appropriate for type of programming (i.e., for news, real time is required)
- Typos and spelling must be kept to a minimum
- Obscuring captions for open character announcements is not permissible (i.e, the "audio" is lost)

Startups

- New startups have 6 years to implement (according to schedule for new programming)
- Library is considered "new" for purposes of startup
- Need transition period for next 4 years for startups
 - Window for library programming is reduced every year